

Chapter 139

(House Bill 889)

AN ACT concerning

Washington Suburban Sanitary Commission – Human Resources

PG/MC 103–12

FOR the purpose of repealing a requirement that the Washington Suburban Sanitary Commission submit changes of certain regulations to the Secretary of Budget and Management; repealing a provision stating that failure of the Secretary to act within a certain time period on receipt of a certain regulation constitutes approval; repealing a requirement that the Commission file a certain list of positions and salaries with the Secretary; repealing a requirement that the Commission submit for approval certain position classifications to the Secretary; repealing provisions requiring the Secretary to approve or disapprove certain changes; repealing certain provisions relating to competitive examinations held by the Commission; clarifying that certain honorably discharged veterans shall receive a certain credit in certain competitive selection processes; and generally relating to the human resources practices of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 18–105, 18–108, and 18–111
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

BY repealing
Article – Public Utilities
Section 18–109, 18–110, 18–112, and 18–113
Annotated Code of Maryland
(2010 Replacement Volume and 2011 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Public Utilities

18–105.

[(a)] The Commission may adopt regulations to carry out this subtitle.

[(b) (1) The Commission shall submit any change in a regulation to the Secretary for approval.

(2) Failure of the Secretary to act within 60 days after receipt of the proposed regulation constitutes approval.]

18–108.

(a) The Commission shall[:

(1)] establish a list of each position to be included under the merit system and its corresponding salary[; and

(2) file the list with the Secretary].

(b) The Commission may:

(1) establish additional position classifications; and

(2) combine, alter, or abolish existing position classifications and their corresponding salaries.

[(c) The Commission shall submit to the Secretary:

(1) for the Secretary's approval, each position classification to be established or abolished; and

(2) the reason for its establishment or abolishment.

(d) Within 60 days after receipt of a proposal to establish or abolish a position classification, the Secretary:

(1) shall approve or disapprove the proposal; and

(2) if disapproving, shall give the reason for the disapproval to the Commission.

(e) Failure of the Secretary to act within 60 days after receipt of the proposal constitutes approval.]

[18–109.

(a) Promptly after filing the list of merit system positions and corresponding salaries with the Secretary as required under § 18–108 of this subtitle, the

Commission shall prepare and hold examinations to establish a list of individuals eligible for appointment to vacancies in the positions.

(b) The Commission may hold examinations whenever the Commission considers it necessary to establish an additional list of eligible individuals for any position in the merit system.

(c) Each examination shall be:

(1) a fair test of the relative abilities of the candidates to perform the duties of the classification to which they seek to be appointed;

(2) competitive, free, and open to all individuals who lawfully may be appointed to a position in the classification for which the examination is held; and

(3) in one or any combination of the following forms:

(i) oral;

(ii) written; or

(iii) a demonstration of skill.

(d) All examinations shall be submitted to the Secretary for approval before being held.]

[18-110.

At least once a week for at least 2 successive weeks before the day on which an examination is to be held, the Commission shall publish in a newspaper of general circulation in each county of the sanitary district:

(1) the time, place, and scope of the examination; and

(2) the duties, compensation, and qualifications for each position in the classification for which the examination is to be held.]

18-111.

On all [examinations] **COMPETITIVE SELECTION PROCESSES** for appointment, an honorably discharged veteran of the United States armed forces who was a bona fide resident of the State when the veteran entered the United States armed forces shall receive a credit of 5%.

[18-112.

(a) On request, a candidate may inspect the candidate's examination papers and scores.

(b) (1) If a candidate is not satisfied with the score received from the Commission, the candidate may appeal to the Secretary.

(2) The Secretary shall review the candidate's examination and score.

(3) The decision of the Secretary is final.]

[18–113.

(a) The Commission shall:

(1) establish a list of the names of individuals whose general average and score on any part of an examination held by the Commission exceed the minimum set by the Commission; and

(2) send a copy of the list to the Secretary.

(b) (1) Each list of eligible individuals is effective for 1 year from the date the list is established.

(2) The Commission may extend the effective period for a list by action:

(i) taken before the effective period for the list expires; and

(ii) recorded in the Commission's minutes.

(c) The Commission may appoint to a vacancy in the merit system any individual who is on a list established under subsection (a) of this section.

(d) Except for present employees of the Commission, and except as provided in subsections (e) and (f) of this section, an individual may not be appointed to a position under the merit system unless the individual is qualified by examination as provided in this subtitle.

(e) (1) If a position must be established immediately, the Commission may appoint any individual to the position without an examination, at any salary, for a period not to exceed 6 months.

(2) The Commission may extend the appointment one time for a period not to exceed 6 months.

(f) The Commission may adopt:

(1) rules exempting from a competitive examination process positions to be filled by semiskilled or unskilled laborers; and

(2) instead of a competitive examination, a system that the Commission considers will best provide for filling those positions.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, April 10, 2012.